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**FEB 03 2011**  
**OFFICE OF PETITIONS**

In re Application of :  
Malcolm Thomas Hammond : LETTER IN RESPONSE  
Application Number: 10/782174 : TO PETITION  
Filing Date: 02/20/2004 :  
Attorney Docket Number: :  
1786P02US :

This is a letter in response to the paper entitled "PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.137(b)," filed on December 3, 2010.

The subject paper, filed on December 3, 2010, appears to be a copy of a petition under 37 CFR 1.137(b) filed on July 14, 2006. A decision granting the subject petition was mailed on February 21, 2007. A copy of the decision is enclosed for petitioner's reference.

Accordingly, the Office is construing the filing of the subject petition as requiring no further action. Petitioners must inform the Office if this is an incorrect interpretation.

The application is being referred to the Office of Data Management for processing into a patent.

Any inquiries concerning this decision may be directed to the undersigned at 571.272.3231.

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions

Encl: Copy of Decision mailed on February 21, 2007



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**FEB 21 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Malcolm Thomas Hammond :  
Application No. 10/782,174 :  
Filed: 20 February, 2004 :  
Atty Docket No. 263593.00002 :

ON PETITION

This is a decision on the petition, filed on 14 July, 2006, under 37 CFR 1.137(f) which is treated as a petition to revive the above-identified nonprovisional application under the unintentional provisions of 37 CFR 1.137(b).

The petition is GRANTED.

Petitioner states that the present nonprovisional application is the subject of a foreign or international application filed on 3 June, 2004. However, the U.S. Patent and Trademark Office was unintentionally not notified of this filing within 45 days subsequent to the filing of the subject application in a foreign country.

In view of the above, this application became abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii) and 37 CFR 1.213(c) for failure to timely notify the Office of the filing of an application in a foreign country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.

A petition under 37 CFR 1.137(f) must be accompanied by:

- (1) the reply which is met by the notification of such filing in a foreign country or under a multinational treaty;
  - (2) the petition fee as set forth in 37 CFR 1.17(m);
- and

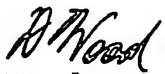
(3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The present petition has been found to be in compliance with 37 CFR 1.137(f). Accordingly, the failure to timely notify the Office of a foreign or international filing within 45 days after the date of filing of such foreign or international application as provided by 35 U.S.C. § 122(b)(2)(B)(i) has been rescinded.

A Communication Regarding Rescission of Nonpublication Request and/or Notice of Foreign Filing, which sets forth the projected publication date of 31 May, 2007, is enclosed herewith.

The application is being referred to Technology Center Art Unit 3782 for further processing.

Any inquiries concerning this decision may be directed to the undersigned at 571.272.3231.

  
Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions

Encl: Communication Regarding Rescission of Nonpublication Request and/or Notice of Foreign Filing